

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

No claims are currently being cancelled.

Claim 7, 16 and 17 are currently being amended.

No claims are currently being added.

This amendment and reply amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-20 are pending in this application.

Non-Statutory Subject Matter Rejections:

In the Office Action, claims 17-20 were rejected under 35 U.S.C. § 101, as being directed to non-statutory subject matter, for the reasons set forth on pages 2 and 3 of the Office Action. Independent claim 17 now recites A system implemented on at least one computer . . . , whereby this claim is now believed to fully comply with 35 U.S.C. § 101.

Prior Art Rejections:

In the Office Action, claims 1-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2005/0086645 to Diao et al. (hereinafter "Diao") in view of U.S. Patent Publication No. 2003/0135609 to Carlson. This rejection is respectfully traversed for at least the reasons below.

Presently pending independent claim 1 recites:

A method of adjusting relative value of implemented computer configuration changes, the method comprising:

identifying computer configuration changes in a computer system, the computer configuration changes being identified by using a configuration tracking application installed either locally on the computer system or on a network on which the computer system is communicatively connected;

obtaining performance metrics for the computer system before and after computer configuration changes implemented in the computer system, the performance metrics being obtained by a performance collector application installed on the computer system; and

*assessing effectiveness of the computer configuration changes based on the obtained performance metrics, wherein the assessing is made by **assigning a weight value that represents a relative value of performance improvement based on implementation of each of the computer configuration changes as compared to performance improvements from other configuration changes.*** (emphasis added).

In its rejection of claim 1, the Office Action correctly recognizes that Diao et al. does not teach or suggest the assignment of a weight value, but the Office Action incorrectly asserts that the Abstract of Carlson teaches this feature. Namely, the Abstract of Carlson describes that a determination is made of values for service level parameters and whether service level parameter values satisfy predetermined service level thresholds. The use of thresholds in the system of Carlson is not the same as the assignment of weight values that represent a relative value of performance improvement based on implementation of computer configuration changes, as specifically recited in claim 1. For example, the setting of a first threshold and a second threshold does not affect any weighting values assigned to parameters to be compared against those first and second thresholds, and thus Carlson does not teach or suggest the assignment of weight values.

Furthermore, Carlson does not teach or suggest that his thresholds represent a relative value of performance improvement based on implementation of computer configuration changes as compared to performance improvements from other configuration changes, as recited in claim 1, since each service level parameter in the system of Carlson is not compared with other service level parameters or configuration changes.

Accordingly, for the reasons provided above, independent claim 1, as well as independent claims 9 and 17 that recite similar features to those discussed above with respect to claim 1, are patentable over the combined teachings of Diao and Carlson.

Further, with respect to dependent claim 2, that claim recites receiving a user input with respect to which ones of a plurality of collectors are to be utilized to obtain the performance metrics for the computer system, the plurality of collectors providing an additional role of running tests on various components of the network. See, for example, paragraph 0039 of the specification.

In its rejection of claim 2, the Office Action asserts that paragraphs 0084 to 0089 of Carlson teach that a user input is made with respect to which ones of a plurality of collectors are to be utilized. Applicant respectfully disagrees. While an administrator can use a configuration policy tool to add service configuration policies and allocate storage space to a host bus adaptor in the system of Carlson, the service configuration policies do not collect information per se and thus do not correspond to the claimed “plurality of collectors” as recited in claim 2.

Accordingly, dependent claim 2, as well as dependent claims 10 and 18 that recite similar features, are patentable over the combined teachings of Diao and Carlson.

Still further, dependent claim 7 now recites comparing the performance metrics obtained in the obtaining step against performance baselines stored beforehand; and based on the comparing, querying a data warehouse for antecedent configuration changes. Support for these features added to dependent claim 7 (and also in a different manner to dependent claim 16) may be found in paragraph 0022 of the specification, whereby such features are not believed to taught or suggested by the cited art of record, when taken as a whole.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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